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EXAMINER
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MUSA, ABDELNABI O

ART UNIT	PAPER NUMBER
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2146

NOTIFICATION DATE	DELIVERY MODE
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05/21/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/732,982	<b>Applicant(s)</b> LESTER ET AL.	
	<b>Examiner</b> ABDELNABI O. MUSA	<b>Art Unit</b> 2146	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 20-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 20-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

1. Acknowledgment is made for the applicant's response and amendment filed on 01/30/2008.

### **Claim Rejections - 35 USC § 101**

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claim 1-10, 12--17, 28, 32 and 33-36 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-10, 12-17, 28 are rejected under 35 U.S.C. 101 because they recite a "computer readable medium" for causing a computer to execute instructions in the preamble to these claims; this implies that Applicant is claiming a software, per se, lacking the hardware necessary to realize any of the underlying functionality. Therefore, the above claims are directed to non-statutory subject matter as computer programs, per se, i.e. the descriptions or expressions of the programs, are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer, which permit the computer program's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a

computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory.

Claim 32 is rejected under 35 U.S.C. 101 because it's directed to data structure per se. Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." In this context, "functional descriptive material" consists of data structures and computer programs which impart functionality when employed as a computer component. Refer to MPEP 2106.01 for more details

Claims 33-36 are rejected under 35 U.S.C. 101 because they are directed to an executable instructions, a "logic" is directed to a software, per se, lacking the hardware necessary to realize any of the underlying functionality. Therefore, the above claims are directed to non-statutory subject matter as computer programs, per se, i.e. the descriptions or expressions of the programs, are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer, which permit the computer program's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer

program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim(s) 1-17, 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ashley Patent No. (US 6,909,992 B2) and further in view of Van Der Meijs Pub. No. (US 2002/0122204 A1).

As per **claim 1**, Ashley teaches a computer medium storing processor executable components and processor readable data that configuring an image forming device to process alerts comprising:

A data store configured to store an address of one or more of, a configuration server, a posting server, and a communication server (system configuration data is stored on various physical storage locations also databases storage to store information Col. 4, line 66; Col. 5, Line 11)

a setup data for configuring one or more of, the image forming device, and the configuration server (configuration server that organize data according to a setup logic configuration of data that correspond to a particular computer Col. 3, Line 39; Col. 4, line 64; FIG. 8), where the setup data is communicated between the image forming

device and the configuration server (communications between the system configuration data and the configuration server Col. 12, line 56) whose address is stored in the data store (databases storage to store information Col. 5, Line 11);

a configuration logic configured to automatically configure the image forming device to process alerts (a configuration logic to automatically generate an alert for component replacement Col. 1, Line 61; Col. 2, line 19; Col. 24, Line 34; FIG. 10) handled by one or more of, the image forming device, the posting server, and the communication server based (FIG.8-12), at least in part, on the setup data but does not teach the specifics of configuring an image forming device. However, Van Der Meijs teaches a process readable data or a processor and a control unit that store the parameters for configuring a printer or an image-forming device.

It would have been obvious to a person having ordinary skilled in the art at the time the invention was made to have modified Ashley by the teaching of Van Der Meijs et al Because to a processor can execute data in any computer program that is has a set on instructions provided to communicate within a computer device. It is not necessary to have the processor read data from an image-forming device only. It depends on the system implemented in.

As per **claim 2**, Ashley teaches the computer-readable medium of claim 1, where:

the setup logic (235) comprises Java instructions configured to communicate the setup data (a software model supported by the application server includes java instructions to run operations Col.10, line 33 FIG.5); and

the configuration logic (100) comprises Java instructions configured to automatically configure the image forming device (a Configuration server storing instruction to automatically configure data Col.3, Line 30, FIG.2).

As per **claim 3**, Ashley teaches the computer-readable medium of claim 2, but does not teach where the image forming device employs a JVM to process Java instructions

It would have been obvious to a person having ordinary skilled in the art at the time the invention was made to employ a JVM to process java instructions because one would implement the JVM to process the instructions if operations to be monitored using java scripts.

As per **claim 4**, Ashley teaches the computer-readable medium of claim 1, including processor executable components and processor readable data (a computer accessible medium having a processor that executes instructions and a memory to read data from Col. 7, Line 7; Col. 4, Line 22) of a posting logic configured to selectively communicate a posting data for communicating information associated with an alert between the image forming device and the posting server based (server communication and central processing unit is relied upon to communicate data from one component to

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another Col. 3, Line 57; Col. 14, Line 27; client to server communication Col. 10, line 13) , at least in part, on the setup data, where the address of the posting server is stored in the data store.

As per **claim 5**, Ashley teaches the computer-readable medium of claim 1, where the configuration logic (Col. 3, Line 52; Col. 4, Line 23; Col. 7, Line 7; Col. 22, Line 35; FIG. 10) is further configured to:

select a posting server with which a posting data for communicating information associated with the alert will be communicated and automatically configuring the image forming device to post the posting data to the posting server (customer configuration server to upload data for customers and automatically generate alerts regarding components Col. 4, line 25; Col. 6, Line 50; Col. 10, Line 54; FIG. 4, 5); and

select a communication server to distribute an electronic communication associated with the posting data (application server configured to support a specific protocol for server communication that sent email addresses of users Col. 14, Line 27; Col. 14, line 61) and to automatically configure the image forming device to direct the posting server to utilize the communication server to distribute the electronic communication (configuration server automatically email explorer to the requesting customers Col. 8, line 20; Col. 17, line 28)

As per **claim 6**, Ashley teaches the computer-readable medium of claim 5, where the configuration logic is further configured to associate the alert with a device



event (a configuration logic that generates an alert about a component due for replacement Col. 1, Line 60; Col. 24, Line 40; FIG.10)

It would have been obvious to a person having ordinary skilled in the art at the time the invention was made to have employ a JVA to process java instructions because one would implement the JVA to process the instructions if operations to be monitored using java scripts.

As per **claim 7**, Ashley teaches the computer-readable medium of claim 6, but does not teach the specifics where the device event concerns one or more of, a toner low state, a toner empty state, a paper jam state, an overheating state, a print job interrupted state, a print job completed state, an online state, and an offline state

It would have been obvious to a person having ordinary skilled in the art at the time the invention was made because identifying replacement times of limited lifetime components would include the lifetime of a toner, online state and any other component in the device to be tracked and reported upon failure or right before the component fails, lifetime of a component is when a component in the device stops working or its does not function accordingly.

As per **claim 8**, Ashley teaches the computer-readable medium of claim 5, where the posting data includes one or more of, an alert type, an alert data, a set of alert recipient identifiers (the alert maybe a call, a message, a fax, or some other type of alert Col. 24, Line 37) an image forming device address, a posting server address

(application server configured to support a specific protocol for server communication that sent email addresses of users Col. 14, Line 27; Col. 14, line 61), and a posting acknowledgment (a notification receipt of a part order number associated with a replacement component Col. 2, Line 45).

As per **claim 9**, Ashley teaches the computer-readable medium of claim 5, where the posting data includes one or more of, an alert type, an alert data, a set of alert recipient identifiers (the alert maybe a call, a message, a fax, or some other type of alert Col. 24, Line 37), an image forming device address, and a posting acknowledgment (a notification receipt of a part order number associated with a replacement component Col. 2, Line 45).

As per **claim 10**, Ashley teaches the computer-readable medium of claim 1, including processor executable components and processor readable data (various types of computing devices including servers, routers, processors and memory Col. 3, Line 52; Col. 4, Line 23; Col. 7, Line 7; Col. 22, Line 35; FIG. 10), of a user interface logic configured to facilitate communicating configuration information between a user and the system (a tools interface and input interface that allow various service personal to interact with customers Col. 9, Line 35; Col. 3, Line 59; FIG. 5)

As per **claim 17**, Ashley teaches the computer-readable medium of claim 12 including processor executable components and processor readable data of a query

logic configured to query the image forming device for non-alert posting data (customer configuration server configured to query databases for system configuration in response to receiving a personal request Col. 5, Line 35; Col. 17, Line 27).

As per **claim 20**, Ashley teaches a system that facilitates configuring an image forming device to process alerts comprises:

an enabled image forming device that includes an alert configuration logic configured to automatically configure the image forming device (a count down monitor configured to automatically generate an alert to users about lifetime of certain component Col. 1, Line 60; Col. 2, Line 7; FIG. 9); and

a configuration server that includes a configuration logic (configuration server that organize data according to a setup logic configuration of data Col. 3, Line 39; Col. 4, line 64; FIG. 8) that facilitates automatically configuring the image forming device to process alerts (a configuration logic to automatically generate an alert for component replacement Col. 1, Line 61; Col. 2, line 19; Col. 24, Line 34; FIG. 10)

where the alert configuration logic comprises:

an image forming device memory configured to store an address of one or more of (a computer system that has various types of computing devices including servers, storage systems, processor and memory Col. 3, Line 52; Col. 4, Line 23; Col. 7, Line 7; Col. 22, Line 35; FIG. 10), a configuration server, a posting server, and a communication server;

an image forming device setup logic configured to communicate a setup data (configuration server that organize data according to a setup logic configuration of data that correspond to a particular computer Col. 3, Line 39; Col. 4, line 64; FIG. 8) for configuring one or more of, the image forming device, and the configuration server between the image forming device and the configuration server (communications between the system configuration data and the configuration server Col. 12, line 56); and

an image forming device configuration logic configured to automatically configure the image forming device to process alerts (a configuration logic to automatically generate an alert for component replacement Col. 1, Line 61; Col. 2, line 19; Col. 24, Line 34; FIG. 10) based, at least in part, on the setup data.

As per **claim 21**, Ashley teaches the system of claim 20, where the configuration logic includes:

a configuration server setup logic configured to communicate the setup data with the image forming device (customer configuration server communicates with the system configuration data for components statues Col. 12, Line 56; Col. 9, Line 48) ;

a configuration server selection logic configured to select a communication server to provide an electronic communication distribution service for the image forming device (application server configured to support a specific protocol for server communication that sent email addresses of users Col. 14, Line 27; Col. 14, line 61) and to select a posting server to provide an alert posting service for the image forming

device based, at least in part, on the setup data (customer configuration server to upload data for customers and automatically generate alerts regarding components Col. 4, line 25; Col. 6, Line 50; Col. 10, Line 54);

a configuration server translation logic configured to receive a posting data for communicating information associated with the alert and to generate an electronic communication based, at least in part, on the posting data (a database table that has a conversion procedure to determine the lifetime of the component Col. 24, Line 26) ; and

a configuration server communication logic configured to communicate the electronic communication to the communication server (server communication and central processing unit is relied upon to communicate data from one component to another Col. 3, Line 57; Col. 14, Line 27; Col. 10, line 13).

4. Claim 23-32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ashley Patent No. (US 6,909,992 B2) and in view of Webb et al. Patent No. (US 5,727,135).

As per **claim 23**, Ashley teaches a method for configuring an image forming device to process alerts, comprising:

communicating a startup data (140) to a configuration server (100), the startup data identifying an image forming device (identifying components Cool.5, Line 23) ;

automatically selecting, based at least in part on the startup data (140), a posting server (FIG.3) and automatically configuring the image forming device to post an alert

data to the posting server (a call management system used to transmit or post the alert to users Col.2, Line 31; FIG.10);

automatically selecting, based at least in part on the startup data, a communication server (automatically selecting servers to process configurations based on configuration data Col.4, Line 26; FIG.1); and

automatically configuring the image forming device to direct the posting server to employ the communication server to distribute an electronic notification produced in response to the alert data being posted to the posting server (configuration server automatically email explorer to the requesting customers Col. 8, line 20; Col. 17, line 28; FIG.9) but does not teach the specifics on having communication received from a device or an interface other than the printer itself or a device implemented in the printer associated with its operations. However, Webb teaches monitoring and controlling of printers serving one or more computers providing the statues information of each printer and the site of one or more computer in communication with servers and devices used to provide users with access to substantially real-time visual and functional or the operational panel of each selected printer and determine the needs/components replacements of each printer. (Col.3, Line 35; FIG.1)

It would have been obvious to a person having ordinary skilled in the art at the time the invention was made to have modified Ashley by the teaching of Webb et al. one would consider employing multiple devices in monitoring a printer and run instructions to load visual pages on other devices and implementing a user interface at the printer site in communication with a host computer displaying and transmitting each

functionality to the host computer while displaying at the site interface to allow local and remote users to resolve component errors/warnings.

As per **claim 24**, Ashley teaches the method of claim 23, where the startup data includes one or more of, a printer address, an alert type identifier, and a recipient email address (the configuration server sends an email to an email address associated with user's server configuration Col. 8, Line 16 FIG.3)

As per **claim 25**, Ashley teaches the method of claim 23, where the alert data includes one or more of, an alert identifier, an alert type, an alert message, and an alert recipient (the alert includes the type of component to be replaced Col.1, Line 60 and various types of alerts Col.2, line 26 FIG.4)

As per **claim 26**, Ashley teaches the method of claim 23, where the electronic notification comprises an email message (the alert maybe an email sent to users to alert them about components Col.2, Line 20 FIG.3)

As per **claim 27**, Ashley teaches the method of claim 23, comprising:  
determining a degree to which the image forming device is to be automatically configured by presenting an automatic configuration choice to a user (presenting an automatic choice for the user to select a configuration Col.21, Line 35; Col.22, Line 18)

As per **claim 29**, Ashley teaches a method for providing configuration information to an alert generating printer, comprising:

receiving a startup signal from the printer; negotiating a level of automatic configuration service for the printer (automatically configuring a server of a component Col.2, Line3); selecting a posting server to provide an alert posting service for the printer (a call management system used to transmit or post the alert to users Col.2, Line 31; FIG.10);

selecting a communication server (Col.14, line27) to provide an electronic message distribution service for the printer (the alert maybe an email sent to users to alert them about components Col.2, Line 20 FIG.3); and

communicating (FIG.3) to the printer a configuration data (Col.20, Line 22) related to the posting server and the communication server (Col.14, Line 27)

As per **claim 30**, Ashley teaches the method of claim 29, comprising:

detecting a state change in one or more of, the posting server, and the communication server (detecting changes made to the system configuration based on customer server changes Col.15, Line 28; FIG.1);

selecting one or more of, an alternate posting server and an alternate communication server (selecting and employing other servers for communications Col.9, Line 48 FIG.4); and



communicating (FIG.3) to the printer a reconfiguration data (Col.20, Line 22) related to one or more of, the state change (Col.15, Line 28), the alternate posting server, and the alternate communication server (Col.9, Line 48 FIG.4)

As per **claim 31**, Ashley teaches in a printer having a graphical user interface comprising a display and a selection device, a method of providing and selecting from a set of data entries on the display, the method comprising:

retrieving a set of data entries that represent a choice concerning how a printer should be configured to process alerts (display a choice of data entries to the user for specifying how alerts should be processed Col.22, Line 1,18; FIG.8);

displaying (245) the set of data entries on the display (displaying the set of data entiteties on the user interface Col.21, Line20,35; FIG.9);

receiving a data entry selection (245) signal indicative of the selection device selecting a selected data entry (the menu includes data selection entries that correspond to data available of system configuration data Col.11, Line 8, FIG.4); and

in response to the data entry selection signal (240), initiating an operation associated with configuring the printer based on the selected data entry (operations are done based on the menu selection associated with the device Col.11, Line 42,60 FIG.7), where the operation (245) concerns configuring the printer to process alerts (generate an alert to user about components Col.2, Line 4; FIG.1), where processing an alert includes providing an alert to a communication server via a posting server (a call management system used to transmit or post the alert to users Col.2, Line 31; FIG.10).

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and where configuring the printer includes automatically establishing the address of the communication server (automatically establishing and storing the address of server in the system Col.14, line 60 FIG.6) and the address (Index 500) of the posting server (call management system) from a communication received from a device (140) other than the printer in response to the startup information (240) provided by the printer (100), but does not teach the specifics on having communication received from a device or an interface other than the printer itself or a device implemented in the printer associated with its operations. However, Webb teaches monitoring and controlling of printers serving one or more computers providing the status information of each printer and the site of one or more computer in communication with servers and devices used to provide users with access to substantially real-time visual and functional or the operational panel of each selected printer and determine the needs/components replacements of each printer. (Col.3, Line 35; FIG.1)

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Ashley by the teaching of Webb. One would consider employing multiple devices in monitoring a printer and run instructions to load visual pages on other devices and implementing a user interface at the printer site in communication with a host computer displaying and transmitting each functionality to the host computer while displaying at the site interface to allow local and remote users to resolve component errors/warnings.

As per **claim 32**, Ashley teaches a data packet for transmitting data between an image forming device and an alert configuration server (a computer system that has various types of computing devices including servers, storage systems processor and memory Col. 3, Line 52; Col. 4, Line 23; Col. 7, Line 7; Col. 22, Line 35; FIG. 10), comprising:

a first field that stores (databases storage to store information Col. 5, Line 11) an address of an alert configuration server that facilitates automatically configuring the image forming device to process alerts (the configuration server sends an email to an email address associated with user's server configuration Col. 8, Line 16 FIG.3);

a second field that stores (databases storage to store information Col. 5, Line 11) an address of a posting server (Index 500) that will provide a posting service for the image forming device (communications between the system configuration data and the configuration server Col. 12, line 56; FIG.6); and

a third field that stores (databases storage to store information Col. 5, Line 11) an address of a communication server that will provide a communication service for the image forming device (automatically establishing and storing the address of server in the system Col.14, line 60 FIG.5)

5. Claim(s) 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ashley Patent No. (US 6,909,992 B2) and in view of Grover et al. Patent No. (US 7,155,497 B2).

As per **claim 33**, Ashley teaches an image forming device, comprising:

an alert logic configured to transmit alert data to a communication server by way of a posting server in response to a device event;

a setup logic configured to determine a communication server capable of distributing an electronic alert message (configuration server that organize data according to a setup logic configuration of data that correspond to a particular computer Col. 3, Line 39; Col. 4, line 64; FIG. 8); an

a configuration logic configured to automatically re-configure the alert logic to transmit (Col. 24, Line 34) the alert data to the communication server determined by the setup logic (a configuration logic to automatically generate an alert for component replacement Col. 1, Line 61; Col. 2, line 19; FIG.10) but does not teach the specifics on the number of field configurations that stores an address of a specifics server in a specific field. However, Grover et al. teaches the configuration package start running as soon as the processor powered up or at any convenient time then signals servers to perform requests (Col.1, line44; FIG.1)

It would have been obvious to a person having ordinary skilled in the art at the time the invention was made to have modified Ashley by the teaching of Grover et al Because configuration of devices always initiated on startup and one would setup logic to run configuration based on a set time frame. Fields order is just a display and it does not matter what the field contains as long as it displays the information. Also, a processor would connect to all devices connected to it and perform the correct operations set forth to components associated with each connection.

As per **claim 34**, Ashley teaches the device of claim 33, where the setup logic is configured to execute periodically (a processor that executes instructions to run operations Col.7, Line 6; FIG.3)

As per **claim 35**, Ashley teaches the device of claim 33, but does not teach the specifics where the setup logic is configured to execute in response to the image forming device being powered on.

It would have been obvious to a person having ordinary skilled in the art at the time the invention was made to have the setup logic or the processor to run and execute operations when the system powers on.

As per **claim 36**, Ashley teaches the device of claim 33, where the setup logic is further configured to determine a posting server capable of processing the alert data and where the configuration logic re- configures the alert logic (Col. 4, line 64) to transmit alert data to the posting server and causes the posting server to transmit the alert data to the communication server (configuration server that organize data according to a setup logic configuration of data that correspond to a particular computer Col. 3, Line 39; FIG. 8)

Claims 11-16, 22 and 28 are related to the same limitation set for hereinabove, where the difference used is the phrase 'ASIC' in claim 11 and the wordings of the

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claims were interchanged within the claim itself whereas some claims are presented in combination with other claims within the application and was differently presented from the above treated claims. This change does NOT effect the limitation of the above treated claims. The citations from the prior art have been inserted as needed. Even though claims 11-16 and 22 have been differently written from the above treated claims, yet the limitations did **NOT** change. As mentioned, claim 11 is the same as claim 1, claim 12 is the same as claim 5, claim 13 is the same as claim 6, claim 14 is the same as claim 7, claim 15 is the same as claim 8, claim 16 is the same as claim 9, claim 22 is the same as claim 12, claim 28 is the same as claim 23, again there is no difference in **limitations** between claims 11-16, and 22 and the above treated claims.

### ***Response to Arguments***

6. Applicant's arguments with respect to claim 31 have been considered but are moot in view of the new ground(s) of rejection.

However, applicant's arguments filed 01/30/2008 have been fully considered but they are not persuasive. The amendment submitted by the applicant does not overcome the rejection made by the examiner in the last office action. The applicant's argument has been considered carefully and does not provide the evidence for lack of motivation.

The examiner interpreted the claims to its broadest reason interpretation and has taken the language of the claims as written, more detailing from the specifications need to be inserted into the claims in regards to an image forming device to process alerts to

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clearly point out the nature of the claimed invention. Accordantly amendment to the claims with additional language from the specification would place the application in better form and might overcome the art cited.

The applicant recites that the references do not disclose, teach or suggest “automatically configuring a printer to generate alerts ....storing the address of the server” and further does not teach “....a configuration server, posting server, setup logic, and/or communication server...” In contrary, the cited references teach an interface configured to automatically generate various types of alert about the lifetime components in multiple computer systems and their due for replacement, configured to automatically generate a visual alert to indicate one or more of the limited lifetime components failed. On the other hand, the cited art teaches a configuration server (configuration server) that is configured to analyze data, and an application server (setup logic) that is responsible for deploying and running various business logic and tool interface. this is the same as Java instructions configured to communicate the setup data whereas a software model supported by the application server includes java instructions to run operations (Col.10, line 33 FIG.5) also Application server 235 may be configured to support a specific protocol for server communication. The specific protocol may enable communication via server commands whereas the configuration server 100 may be configured to respond to server commands generated by performing various functions and/or calling one or more tools (Col.14, line 27) and storing the addresses of the servers and configurations in the system configuration server (Index 500) in the storage location according to user's system ID which maybe

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stored on a file server coupled to a computer system (Col.5, Line 5). Applicant presented the first set of claims (1-17) as a computer readable medium, then in the second set of claims (18-27) concentrated on the configuration of the image forming device and finally on a printer and information detection relating to the servers. The prior art cited and the claimed invention both associated with automatically configuring a device to process alerts where devices configured to communicate setup information with a configuration server.

The claims interpreted under its broadest reasonable interpretation whereas image forming device to process alerts is not clearly presented in the claims. The examiner interpreted the claims to its broadest reasonable interpretation and has taken the language of the claims as written, more detailing from the specifications need to be inserted into the claims in regards to monitoring the components of a distributed system to clearly point out the nature of the claimed invention. Accordingly, amendment to the claims with additional language from the specification and reordering of the claims would place the application in better form and might overcome the art cited.



***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The examiner requests, in response to this Office action, support should be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line(s) in the specification and/or drawing figure(s). This will assist the examiner in prosecuting the application.

When responding to this office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the

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art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelnabi O. Musa whose telephone number is 571-2701901. The examiner can normally be reached on Monday Thru Friday: 7:30am to 5:00pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Pwu can be reached on 571-2726798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A.M

/Jeffrey Pwu/  
Supervisory Patent Examiner, Art Unit 2146